

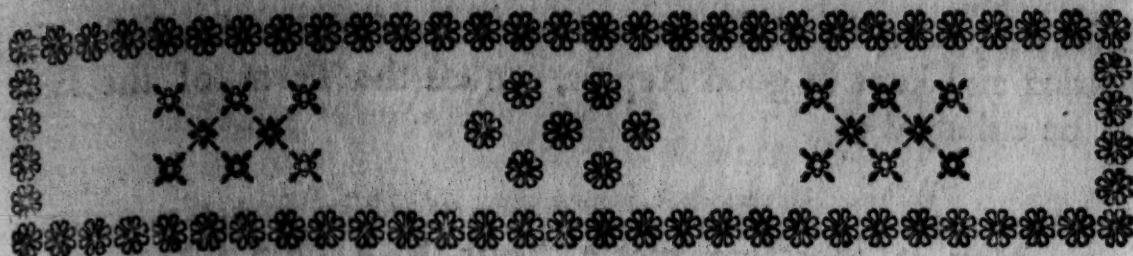
31 Geo. III.
Pub. Cap. 99

(W.L.)

(423)

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RB 23C359 9



A N
A C T
F O R

Enlarging the Term and Powers of Two Acts, of the Seventeenth Year of his late Majesty, and the Ninth Year of His present Majesty, for repairing and widening the Road leading from a Place called *Harlow Bush Common*, in the Parish of *Harlow*, in the County of *Essex*, to *Stump Cross*, in the Parish of *Great Chesterford*, in the said County.

WHEREAS Two Acts of Parliament were made in the Seventeenth Year of the Reign of his late Majesty, and the Ninth Year of the Reign of His present Majesty, for repairing and widening the Road leading from a Place called *Harlow Bush Common*, in the Parish of *Harlow*, in the County of *Essex*, to *Stump Cross*, in the Parish of *Great Chesterford*, in the said County; which Acts have Continuance only until the End of the present Session of Parliament:

Preamble
recites Acts
17 Geo. II. and
9 Geo. III.

And whereas a considerable Sum of Money is now due and owing upon the Credit of the Tolls authorized to be collected upon the Roads comprized in the said Acts; which Money
A cannot

cannot be paid off and discharged, and the said Roads effectually amended and kept in good Repair, unless the Term of the said Acts be enlarged :

May it therefore please Your MAJESTY,

Term of the
former Acts
continued.

That it may be Enacted; And be it Enacted by the KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts, and the several Authorities, Powers, Provisions, Matters, and Things, therein respectively contained, and which are now in Force (except such as are hereby varied or altered, and as relate to Exemptions from Stamp Duties) shall be and remain in full Force and Effect, and have Continuance, from the Expiration of the present Term of the said recited Acts, for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament, in like Manner, and as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act.

Trustees
appointed.

And be it further Enacted, That from and after the passing of this Act the Representatives in Parliament, for the Time being, of the several Counties of *Essex, Hertford, and Cambridge*; Sir *William Altham*, Knight, *John Archer*, *Ralph Allen*, Esquires; the Reverend *Thomas Abdy Abdy*, Clerk, the Honourable and Reverend *Nicholas Boscarwen*, Doctor in Divinity, *Francis Beckford*, *Richard Beckford*, *John Brome*, *Thomas Hope Byde*, *Nicholas Boscarwen*, *William Brockett*, *John Baker*, and *Montagu Burgoyne*, Esquires; the Reverend *Isaac Moody Bingham*, the Reverend *Thomas Bull*, the Reverend *Richard Budworth*, the Reverend *William Browne*, Clerks; *Thomas Bithrey*, Gentleman; the Reverend Sir *William Cheere*, Baronet; *Henry Cranmer*, *Thomas Richard Carter*, *John Calvert*, *Stanes Chamberlayne*, *Richard Muilman Trench Chiswell*, *John Conyers*, *Nicolson Calvert*, Esquires; the Reverend *William Calvert*, the Reverend *Edward Conyers*, the Reverend *Edward Cranmer*, the Reverend *William Campbell*, the Reverend *Thomas Canning*, the Reverend *John Cock*, Clerks; *Joseph Collin*, Gentleman; *Alexander Duncan*, Esquire; the Reverend *Thomas Dalton*, Clerk, *Isaac Emery*, Gentleman, *Thomas Fuller*, Esquire, *Thomas Hall Fiske*, Gentleman, *James Gordon the Elder*, *James Gordon the Younger*, Esquires; the Reverend *Robert Gibson*, the Reverend
William

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William Gibson, the Reverend William Gretton, the Reverend Edmund Gibson, the Reverend Richard Grant, Clerks; John Green, Gentleman, William Heath, John Hanchett, Bailly Heath, Esquires; the Reverend Anthony Hamilton, Doctor in Divinity, the Reverend Robert Howard, Clerk, Thomas Hall, Gentleman, Robert Jocelyn, Esquire, the Reverend John Johnson, Clerk, Edward Johns, Benjamin Jones, James Johns, Gentlemen; William Lushington, Samuel Leightonhouse, Esquires; the Reverend Jonathan Lipyeatt, the Reverend John Lane, Clerks; William Lord, Gentleman, Jeremiah Milles, Esquire, the Reverend Richard Meux, Clerk, John Micklethwaite, Litchfield Moseley, William Mapletost, Gentlemen; the Reverend Anthony Natt, Sir Peter Parker, Baronet; William Plumer, Edward Parson, John Parson, Christopher Parker, George Pochin, Esquires; the Reverend John Perkins, the Reverend James Parson, Clerks; William Poole, John Pitkin, Gentlemen; James Raymond, Robert Raynsford, Esquires; the Reverend John Raymond, Clerk, William Robertson, Gentleman, Sir Peter Soame, Baronet, Sir William Smith, Baronet, Richard Stanley, Esquire, the Reverend Francis Stanley, Clerk, Thomas Scott, Gentleman; John Shaw, William Gorfuch Times, the Honourable Percy Wyndham, Ralph Winter, Thomas Wolfe, John Wolfe, Nehemiah Winter, Esquires; William Walley, Doctor of Physick; the Reverend Joseph Whateley, Clerk; Edward Wise and William Woodham, Gentlemen, shall be added to and joined with the Trustees appointed in and by virtue of the said recited Acts, and shall have the same Powers and Authorities, for carrying the said recited Acts and this Act into Execution, in all Respects whatsoever, as if they had been named and appointed Trustees in the said recited Acts, or either of them.

And whereas, by the said recited Act of the Seventeenth Year of the Reign of his said late Majesty, all Persons chosen Trustees by virtue of the said Act are directed to be nominated, elected, and appointed under the Hands and Seals of Nine or more Trustees, which hath been found inconvenient; Be it therefore further Enacted, That for the future when any Person shall be chosen a Trustee for putting the said recited Act and this Act in Execution, his Name shall be entered in the Book of the Proceedings of the said Trustees; and after such Entry shall have been made, and the Proceedings of the Day signed by any Nine or more of the Trustees who were present at such Election, the Person so chosen shall be capable of acting as a Trustee in the Execution of the said recited Acts and this Act, in all Cases whatsoever, as he could or might have done if he had been nominated,

Mode of appointing new Trustees varied.

minated, elected, and appointed a Trustee, under the Hands and Seals of Nine or more Trustees, in Manner directed by the said recited Act, any Thing in the said recited Act to the contrary hereof notwithstanding.

Proceedings
of the Trust-
tees to be
entered in a
Book to be
kept for that
Purpose.

And be it further Enacted, That all Orders and Proceedings of the said Trustees shall be entered in a Book to be kept for that Purpose; and such Orders and Proceedings so entered, and signed by a competent Number of the said Trustees (as the Case shall require) or by their Clerk by their Order, shall be deemed and taken to be Originals, and shall and may be read in Evidence in any Cases of Appeal, and in any Suits or Actions touching any Thing done in pursuance of the said recited Acts or this Act.

Mortgages
to be trans-
ferrable by a
Form pre-
scribed.

And be it further Enacted, That it shall be lawful for any Person or Persons who now is or are, or hereafter shall be, possessed of any Mortgage or Security of the Tolls authorized to be collected upon the said Roads, at any Time, to assign such Mortgage or Security to any Person or Persons, by Indorsement upon such Mortgage or Security, in the Words or to the Effect following :

“ I *A. B.* do assign the within Mortgage or Security, and
“ all my Right, Title, and Interest therein, unto *C. D.*
“ his Executors, Administrators, and Assigns. Witness
“ my Hand and Seal, this Day of in the
“ Year of our Lord

And every such Assignment or Assignments, either by the original Mortgagee or Mortgagees, or any subsequent Assignee or Assignees, shall be good, valid, and effectual, and a Copy of every such Assignment, or an Extract or Memorial thereof, containing the Date, Names of the Parties, and Amount of the Principal Sum secured, shall be entered by the Clerk, at a Meeting of the Trustees, in the Book to be kept for entering the Orders and Proceedings of the said Trustees, previous to the Assignee or Assignees receiving the Interest due on the Mortgage or Security so assigned, for which Entry the Clerk shall be paid such Sum, not exceeding Two Shillings and Six Pence, as the said Trustees, or any Five, or more of them, shall appoint.

Power to
change the
Course of

And whereas it would be of Convenience to Travellers if the Course of Part of the Road leading from the Town of *Bishop's Stortford*

Stortford to a Place called *Palmer's Water*, was changed, by carrying the same from opposite a Field, in the Parish of *Bishop's Stortford*, called *Common Down*, to communicate with the Road leading from *Hockerill* to *Palmer's Water* Turnpike Gate; but no Provision is made by the said Acts, or either of them, for changing or altering the Course of any Part of the said Roads; Be it therefore further Enacted, That it shall be lawful for the said Trustees, or any Five or more of them, and they are hereby authorized and impowered (if they think fit) to cause the Course of the said Road, leading from the Town of *Bishop's Stortford* to *Palmer's Water*, to be changed at the said Field called *Common Down*, and carried through and over any Lands or Grounds within the Parishes of *Bishop's Stortford* and *Birchanger*, and across the River *Stort*, to join and communicate with the said Road leading from *Hockerill* to *Palmer's Water* Turnpike Gate, at such Place as they shall think proper; and also to erect a good substantial Carriage Bridge over the said River *Stort*, of such Materials and of such Construction as the said Trustees, or any Five or more of them, shall think fit, the said Trustees, or any Five or more of them, first paying, for the Lands to be made use of for that Purpose, and the Damage to be occasioned thereby, such Price or Satisfaction as shall be agreed upon between them and the Owners of and Persons interested in such Lands, or as shall be ascertained by a Jury in Manner directed by the said recited Act of the Seventeenth Year of the Reign of his late Majesty, with respect to the Price or Satisfaction to be paid for any Lands authorized to be taken by virtue of the said Act, for enlarging or widening any Parts of the Roads comprized in the said Act; and the several Powers and Provisions of the said Act which respect the purchasing, agreeing for, or taking any Lands for enlarging or widening any Parts of the said Roads, and the ascertaining the Value of such Lands by a Jury, shall extend to authorize and impower the purchasing, agreeing for, and taking the Lands which shall be made use of for changing the Course of the Road as aforesaid, and for ascertaining the Value of the said Lands, as if the Course of the Road so to be changed had been expressly directed to be changed in and by virtue of the said recited Act; and that when the new Road shall be set out and made for changing the Course of the said Road, and the same shall be properly fenced off from the adjoining Lands, at the Expence of the said Trustees, and such Bridge shall be built as aforesaid, and the Communication between the said Two Roads made safe and convenient for Carriages and Passengers, the said Trustees shall from thenceforth be

Part of the
Bishop's
Stortford and
Palmer's
Water Road.

and are hereby discharged from all Care and Management of such Part of the present Road leading from *Bishop's Stortford* to *Palmer's Water* as shall lie between the Place where the Road shall be changed at *Common Down* as aforesaid and *Palmer's Water*, and from all Expences attending the Repairs thereof: Provided always, that nothing herein contained shall authorize the said Trustees to take or make use of the Scite of any House or other Building, or any Garden, Orchard, Yard, Park, planted Walk, or Avenue to any House, without the Consent of the Owner thereof.

Application
of the Money
belonging to
Corporations,
&c.

And be it further Enacted, That the Money or Recompence to be paid for any Lands or Hereditaments which shall be taken or used by virtue of the said recited Acts, or this Act, for changing the Course, or enlarging or widening any Part or Parts of the said Roads, belonging to any Corporation, Femes Covert, Infants, Lunatics, or Persons under any other Disability or Incapacity, shall be paid to such Person or Persons as such Corporation, or the Husbands, Feoffees, Guardians, Trustees, or Committees of such Femes Covert, Infants, Lunatics, or Persons under any other Disability or Incapacity, shall respectively nominate and appoint to receive the same, in Trust with all convenient Speed to be re-invested in the Purchase of other Lands or Hereditaments, which shall be conveyed and settled upon, and subject to the like Uses, Trusts, and Limitations as the Lands or Hereditaments belonging to such Corporation or other Persons as aforesaid, which shall be taken or used for the Purposes of this Act, were settled, limited, or assured.

Expences of
the Act.

And be it further Enacted, That all the Charges and Expences incident to and attending the obtaining and passing of this Act, shall be paid out of any Money collected or received, or to be collected or received, by virtue of the said recited Acts; and that this Act shall be adjudged, deemed, and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons, without specially pleading the same.

Public Act.

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FOR

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Cross*, in the Parish of *Great Chelmsford*,
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3^d Geo. III,

1791.

Geot III

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